

REMARKS

Claims 1-9, 11-13 and 16-20 stand rejected. Claims 22 and 23 are added. Support for these new claims is found on page 3, lines 25 and 26; and page 4, line 14. These new claims do not add new matter. After entry of this amendment, claims 1-9, 11-13, and 16-23 will be pending.

The Applicant respectfully submits that claim 22 defines at least the following advantageous distinctive features that distinguish over and avoid the prior art:

“A wireless telephone comprising . . . [a] computer-readable program to generate a scannable coupon . . . on the electronic display of the wireless telephone”

The Applicant respectfully submits that claim 23 defines at least the following advantageous distinctive features that distinguish over and avoid the prior art:

“A personal digital assistant comprising . . . [a] computer-readable program to generate a scannable coupon . . . on the electronic display of the personal digital assistant.”

All words in a claim must be considered in judging the patentability of claims 22 and 23 against the prior art when determining patentability. *In re Miller*, 169 USPQ 597 (CCPA 1971). Claim 22 sets fourth the wireless telephone in the body of the claim; therefore, the wireless telephone is a limitation that must be considered. Similarly, claim 23 sets forth the personal digital assistant in the body of the claim; therefore, the personal digital assistant is a limitation that must be considered. *Gerber Garment Tech., Inc. v. Lectra Sys., Inc.* 916 F.2d 683, 688-89 (Fed. Cir. 1990); *Heidelberg Harris, Inc. v. Mitsubishi Heavy Indus., Ltd.*, Civ. App. No. 1100 (Fed. Cir. Sept. 18, 2000)(unpublished).

CONCLUSION

In view of the foregoing, the Applicant believes all claims pending in this Application are in condition for allowance, and that the Applicant is entitled to the claims in accordance with Title 35 of the United States Code, and Art.1, §8, cl.8 of the Constitution of the United States.

The Applicant respectfully requests reconsideration of all pending claims, the withdrawal of all rejections, and the issuance of a formal Notice of Allowance at an early date.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawings, then it is respectfully asked that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner believes this amendment does not put all pending claims in condition for allowance, the undersigned invites the Examiner to telephone the undersigned at (707) 591-0789.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'Scott W. Hewett', with a long horizontal flourish extending to the right.

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